

**UNITED STATES DISTRICT COURT****Northern District of California**

Joby, Inc.,

07-06455 SI

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

v.

Tocad America, Inc.,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
2 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

3  
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
5 required, to occur before the Case Management Conference.

6  
7  
8 Dated: April 16, 2008

9 RICHARD W. WIEKING

10 Clerk

11 by: Timothy J. Smagacz



12 ADR Administrative Assistant

13 415-522-4205

14 Tim\_Smagacz@cand.uscourts.gov

## PROOF OF SERVICE

Case Name: Joby, Inc. v. Tocad America, Inc.

Case Number: 07-06455 SI

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On April 16, 2008, I served a true and correct copy of:

### **Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Virginia K. DeMarchi  
Fenwick & West LLP  
801 California Street  
Silicon Valley Center  
Mountain View, CA 94041  
vdemarchi@fenwick.com

Charlene Marie Morrow  
Fenwick & West LLP  
801 California Street  
Silicon Valley Center  
Mountain View, CA 94041  
cmorrow@fenwick.com

Kimberly Irene Culp  
Fenwick & West LLP  
801 California Street  
Silicon Valley Center  
Mountain View, CA 94041  
kculp@fenwick.com

Salam Issam Rafeedie  
Fenwick & West LLP  
801 California Street  
Silicon Valley Center  
Mountain View, CA 94041  
srafeedie@fenwick.com

Rachael Gayza Samberg  
Fenwick & West LLP  
801 California Street  
Silicon Valley Center  
Mountain View, CA 94041  
rsamberg@fenwick.com

Jason A. Yurasek  
Perkins Coie LLP  
Four Embarcadero Center  
Suite 2400  
San Francisco, CA 94111-4067  
jyurasek@perkinscoie.com

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on April 16, 2008 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz



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ADR Administrative Assistant

415-522-4205

Tim\_Smagacz@cand.uscourts.gov